

From: Andrew Abdalian
To: Microsoft ATR
Date: 1/23/02 2:47pm
Subject: Microsoft Settlement

Dear Sir or Ma'am,

Pursuant to the Tunney Act, I am addressing this letter to you to state my opinion concerning the current case pertaining to Microsoft's violations of the Sherman Antitrust Act.

I have followed this case closely, as I have been concerned about Microsoft's anticompetitive practices for years. The case seems very simple, in my estimation. Microsoft blatantly used its influence as owner of the Windows operating system (OS) to "encourage" users to switch Internet browsers from Netscape's Navigator/Communicator to its own Internet Explorer. This is only one of many in a series of anticompetitive practices:

- the theft of Apple's graphical user interface (GUI) on which Windows is based
- the threat of cutting support for the Macintosh version of its Office suite because Apple refused to stop using its QuickTime technology, which competed directly with Microsoft's own Windows Media Player.

All these and more are evidence enough that Microsoft cannot be trusted to use its influence only in accordance with the law. Now, a proposed settlement has come about which does little more than ensure that Microsoft plays by the rules. I think that this is the first step the government has taken in the right direction, but it should not be the last. In the proposed settlement, there is no section which requires that Microsoft be reprimanded in any way for the harm they have caused to the free market, competitive economy. Microsoft has spent years regaling in stomping out small upstart businesses, either by buying them out, or with such examples as Netscape, which grew too big to simply stamp out, using their operating system to effectively lock competitors out. Code in Windows was manipulated in such a way that no browser could be as efficiently implemented in the Windows operating system as internet explorer.

Stronger action must be taken against Microsoft considering its history of success and most of its gains have been enabled solely by illegal and anticompetitive means. The company must be restricted in some manner, not just slapped on the wrist and told to play nice from here on out. Microsoft has shown that it has no intention of playing nice, and that it knows how to bend the rules to its benefit. This can only be prevented through stricter restraints on the company. I leave it up to the Department of Justice to determine what these restraints entail; whether they choose to split up the company as Judge Jackson wisely recommended, or whether they only choose to restrict its ability to market internet-capable applications as a part of its Windows software is a matter to be worked out with the states who are filing the complaint. Microsoft's proposal of "donation" of computers to underprivileged schools, which would result in Microsoft's subsequent domination of the education portion of the computer market, would completely

undermine the purpose of this case. Such an act, or any variation on that theme, would strengthen Microsoft's monopoly power and allow it to muscle around the competition more than it already does. If such a remedy is achieved, another antitrust suit will surely become necessary in the near future. With taxpayers in mind, please exclude this possibility from your list of possible remedies.

Thank you for reading and considering the suggestions of the public as you come to your decision, instead of relying only on Microsoft's near-perfected tactics of presenting its own favorable -- and completely fabricated -- version of public opinion.

Sincerely,

Andrew Abdalian, a concerned citizen.